

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**
Wilkes-Barre Division

IN RE:

OSCAR LEOPOLD STEPHENSON aka Oscar L.
Stephenson aka Oscar Stephenson AND
DAWN OLIVENE STEPHENSON aka Dawn O.
Stephenson aka Dawn Stephenson

Case No. 5:23-bk-00428-MJC

Deutsche Bank National Trust Company as Trustee
for GSAMP Trust 2004-AHL,
Movant

Chapter 13

vs.

OSCAR LEOPOLD STEPHENSON aka Oscar L.
Stephenson aka Oscar Stephenson AND
DAWN OLIVENE STEPHENSON aka Dawn O.
Stephenson aka Dawn Stephenson,
Debtors

**OBJECTION TO CONFIRMATION
OF DEBTORS' CHAPTER 13 PLAN**

Deutsche Bank National Trust Company as Trustee for GSAMP Trust 2004-AHL ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtors' Chapter 13 Plan* (Doc 10), and states as follows:

1. The Debtors filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 28, 2023.

2. Movant holds a security interest in the Debtors' real property located at 15 Woodchuck Ln, East Stroudsburg, PA 18301 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 200426566 in Official Records of Monroe County, Pennsylvania. Said Mortgage secures a Note in the amount of \$276,250.00.

3. The Debtors filed a Chapter 13 Plan (the “Plan”) on February 28, 2023 (Doc 10).
4. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate.
5. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due to Movant is \$203,135.43, whereas the Plan proposes to pay only \$173,361.00. Therefore, the Movant objects to Debtor’s proposed Chapter 13 Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.
6. Given the large pre-petition delinquency Movant objects to the confirmation of the Chapter 13 Plan when the cure is unfeasible.
7. Movant objects to any plan which proposes to pay it anything less than \$203,135.43 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection To Confirmation Of Debtor(S)' Chapter 13 Plan has been electronically served or mailed, postage prepaid on this day to the following:

OSCAR LEOPOLD STEPHENSON
6151 WOODCHUCK LANE
EAST STROUDSBURG, PA 18301

DAWN OLIVENE STEPHENSON
6151 WOODCHUCK LANE
EAST STROUDSBURG, PA 18301

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Jack N Zaharopoulos (Trustee), Bankruptcy Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

United States Trustee, US Trustee
228 Walnut Street, Suite 1190
Harrisburg, PA 17101

March 10, 2023

/s/Mario Hanyon

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